

Serial No.: 10/594,067
Atty. Docket No.: P71458US0

REMARKS

The Office Action mailed April 28, 2009, has been carefully reviewed and, by this Amendment, claims 1-5 have been amended and claims 6 and 7 have been added. Claims 1-7 are pending in the application. Claims 1 and 6 are independent.

As an initial matter, Applicant has corrected informalities noted in the abstract and specification, including the addition of headings. The text added to page 2 corresponds with the claims that had previously been referred to such that no new matter has been added.

The Examiner rejected claims 3-5 under 35 U.S.C. 112, second paragraph, as being indefinite. With the amendments set forth herein, claims 3-5 are in conformity with 35 U.S.C. 112, second paragraph. Favorable reconsideration and withdrawal of the rejection is therefore requested.

The Examiner rejected claims 1-5 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,639,367 to Ohzeki et al. ("Ohzeki").

As clarified in amended claim 1 and new claim 6, the present invention is directed to a supply air terminal device for a ventilation duct network that includes a pipe socket having a ring-shaped pocket on an inner surface thereof that is open in the

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upstream direction. The supply air terminal device includes a flexible bag of filter material having a neck that is releasably mounted on the outlet end of the pipe socket. The neck, which has an edge part that is flanged approximately 180° outward against the outside of the neck, is stabilized by a resiliently elastic ring-shaped element which is received in the ring-shaped pocket on the inside of the pipe socket. Once so received, axial force exerted by air flow through the pipe socket and into the mouth of the bag during operation of the ventilation duct network acts to retain the bag steadily in the pocket (see the specification on page 3, lines 20-25). This is not shown by the prior art.

Ohzeki is directed to a fuel filter disposed inside the fuel tank of a vehicle. In the embodiment shown in Figure 7, which is relied upon by the Examiner, the fuel filter 21 includes a filter cloth 30 which forms a bag with the space therein being maintained by a frame structure 31 within the bag. The flow of fuel is from outside of the filter cloth into the interior of the bag which is opposite the flow direction of the claimed air terminal device. Hence, while Ohzeki requires a frame structure inside the bag because of the inward flow direction through the body of the bag which might otherwise collapse the bag, the present invention has no such requirement since in the claimed invention

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air flows into the open end of the bag and then in an outward direction through the body of the bag.

Furthermore, Ohzeki does not disclose an edge part on the bag that extends about 180° outward against the outside of the neck. Nor does Ohzeki disclose or suggest that this edge part is received within a correspondingly shaped pocket on the inside of the pipe, as claimed. Ohzeki also fails to teach or suggest that the neck of the bag is stabilized with a resiliently elastic ring-shaped element that, along with the flanged edge part, is received within the pipe socket pocket.

For at least the foregoing reasons, claims 1 and 6 are patentable over Ohzeki. Favorable reconsideration and allowance of claims 1 and 6 is requested.

Claims 2-5 and 7 are also in condition for allowance as dependent claims properly dependent on an allowable base claim and for the subject matter contained. With respect to new claim 7, the prior art does not disclose that reinforcing ring-shaped element has a circumference somewhat greater than the circumference of the bag neck and a substantially circular memory shape that tightens the neck against such shape (see the specification on page 3, lines 1-6).

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The Examiner also stated that claims 1-5 conflict with claims 1 and 2 of Applicant's copending application, Serial No. 10/594,066. With the amendments set forth herein, as well as the amendments being submitted this date in the '066 application, Applicant requests reconsideration of the claims as not being in conflict in view of the differing scope of the respective independent claims presented in each of the applications.

With the foregoing amendments and remarks, the application is in condition for allowance. Should the Examiner have any questions or comments, the Examiner is cordially invited to telephone the undersigned attorney so that the present application can receive an early Notice of Allowance.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By Harvey B. Jacobson, Jr. Reg. No. 20,851

400 Seventh Street, N.W.
Washington, D.C. 20004-2201
Telephone: (202) 638-6666
Date: July 28, 2009
HBJ:SCB

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